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BY ECF AND FIRST CLASS MAIL

November 18, 2005

Magistrate Judge Michael L. Orenstein
U.S. District Court
Eastern District of New York
Long Island Courthouse
100 Federal Plaza
Central Islip, NY 11722-4438

Re: S&L Vitamins, Inc. v. Australian Gold, Inc., 05 CV 1217 (JS) (ML)

Dear Magistrate Judge Orenstein:

REDACTED

We represent Australian Gold, Inc. in the above-referenced action. This letter requests that the Court consider Australian Gold, Inc.'s Motion to Compel (the "Motion") filed against as unopposed. has failed and refused to respond or file an opposition with this Court and its deadline to do so was over one week ago.

Australian Gold, Inc. filed the Motion on November 2, 2005. 's opposition was due on or before November 10, 2005. has not filed an opposition, which is now 8 days past due. Therefore, Australian Gold, Inc. respectfully requests that (1) the Motion be considered unopposed, and (2) the Court rule on the Motion at its earliest convenience.

REDACTED

Sincerely,

Francis J. Earley

cc: Ronald Coleman, Esq. (via ECF)

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